IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 152 OF 2006
IN
CRI. APPEAL NO. 138 OF 2000

Tejkumar Hari Kolhe .. Applicant.

V/s.

State of Maharashtra .. Respondent.

Shri A.P.Mundargi, Sr. Advocate with Amol Patnkar for the Applicant.

Smt. V.R.Bhosale, APP for the Respondent State.

CORAM : D. G. DESHPANDE
S. A. BOBDE, JJ.

DATED : 08TH JUNE, 2006.

P.C.:

1. Heard the learned Advocate for the Applicant Accused and learned APP for the Respondent State.

2. This is an application for bail. The applicant-accused is the husband, who has been convicted for murdering his wife. The prosecution relied upon three dying declarations. Shri Mundargi for the Applicant -Accused states that in one dying declaration, the deceased wife blames her husband and in another dying declaration that is recorded by the doctor, she stated that her Oddhani fall on a burning stove and she got

fire. In the evidence of the brother of the deceased it has brought out in the cross-examination that the deceased had a suicidal tendency. Earlier also she had tried to end her life by consuming poison or sleeping tablets. Apart from that the husband and wife were married for more than 10 years. Therefore, the presumption also does not arise.

3. Considering all the circumstances, the application is allowed. The applicant-accused be released on P.R. Bond of Rs.10,000/- (Rs. Ten thousand) with one or two solvent sureties in the like amount. The applicant accused will attend the concerned police station once in a month, in the first week of the month between 4 p.m. to 6 p.m..

(D.G.DESHPANDE,J)

Dt.08.06.2006

(S.A. BOBDE, J)

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